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March 28, 2022

VIA ECF

The Honorable Alison J. Nathan
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street Foley Square
New York, NY 10007

Re: *Paguada v. BestNest Inc.*; Case No. 1:22-cv-00838 (AJN)

Dear Judge Nathan:

We represent plaintiff Josue Paguada (“Plaintiff”) in the above-referenced matter. We respectfully write in accordance with this Court’s Individual Practices in Civil case Rule 3(E) to inform the Court of Plaintiff intent to file and amended complaint and to respectfully request leave of the Court to do so within 21 days.

On March 18, 2022, Defendant filed a Motion to Dismiss Plaintiff’s Complaint. *See* Docket Number 13. While Plaintiff believes the operative complaint would survive the motion, Plaintiff intends to file an amended complaint in this case and will do so within three weeks of this letter.

Respectfully submitted,
/s/ William J. Downes
William J. Downes, Esq.

Cc: All Counsel of Record (via ECF)

Plaintiff’s request (ECF No. 17) for leave to file an Amended Complaint by **April 18, 2022** is GRANTED.

In light of the forthcoming amended pleading, Defendant’s motion to dismiss (ECF No. 13) is DENIED as moot and without prejudice to re-filing after the Amended Complaint is served.

The Clerk of Court is respectfully directed to close ECF No. 13.

SO ORDERED 3/29/2022

A handwritten signature in black ink, appearing to read 'Sarah L. Cave', is written over a horizontal line.
SARAH L. CAVE
United States Magistrate Judge